

## **Form RE-05 REQUIREMENTS: Acid Rain**

### **ACID RAIN PROGRAM UNDER TITLE IV**

(567 IAC 22.120 - 22.147 *Acid Rain*; 1990 Clean Air Act, as amended, Sections 401-416)

Utilities and other facilities which combust fossil fuel and generate electricity for wholesale or retail sale may be subject to Acid Rain program requirements, including the requirement to hold an **Acid Rain permit under 40 CFR 72 and 567 IAC 22.122.**

Utilities designated as "Phase I" or "Phase II" sources will need to apply for an Acid Rain permit. Other facilities that may be permitted are certain new units that began commercial operation on or after November 15, 1990, and existing units that increase electric generation from less than 25 megawatts to 25 megawatts or more.

Nationally standardized forms are required for applying for Acid Rain Permits or for the Acid Rain portions of the Title V permit application and compliance plans. The compliance plan content requirements (567 IAC 22.105(2)"h" - Standard application form and required information - compliance plan) for Title V operating permit applications apply and must be included in the acid rain portion of the compliance plan of Title IV affected sources (567 IAC 22.105(2)"j").

Certain cogeneration units, qualifying facilities, independent power facilities, and solid waste incinerators may need to apply for a permit. Requirements to apply for an Acid Rain Permit are detailed in 567 IAC 22.128. Certain types of units will not be subject to the requirements of the Acid Rain program and are listed in 567 IAC 22.122(2). Other units may be exempted (see 567 IAC 22.123 *New units exemption*). Facilities may petition EPA for an acid rain applicability determination. Petitions must conform to EPA requirements and should be sent by the facility's certifying official to:

**Regular or certified mail address:**

US EPA  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

**Overnight mail address:**

Package delivery / Street Address:  
US EPA  
Clean Air Markets Division (6204N)  
633 3<sup>rd</sup> St., NW  
Washington, DC 20001  
Tel: (202) 564-9150

For further information about applying for an applicability determination, call EPA at (202) 564-9077 (Robert Miller). In EPA Region VII (including Iowa) call (913) 551-7622 (Jon Knodel).

Acid Rain permits will be required in addition to Title V Operating permits. Applicable requirements from the Acid Rain regulations must be included in the Title V Operating Permit application.

Following is a list of selected Acid Rain Regulations that can be obtained by calling the Acid Rain Hotline at (202) 564-9620:

Acid Rain Program: General provisions and permits, allowance system, continuous emission monitoring, excess emissions, and administrative appeals.

40 CFR 72, 75, 77, and 78 as amended through October 24, 1997

40 CFR 73 as amended through September 28, 1998

40 CFR 76 as amended through May 1, 1998

Acid Rain Program: Nitrogen oxides emission reduction program.

40 CFR 76 as amended through June 12, 1997

Acid Rain Program: Permits and allowance system (Opt-in).

40 CFR 74 as amended through April 4, 1995

Acid Rain Program: Permits and allowance system (Substitution & compensating units).

40 CFR 72 as amended through October 24, 1997

40 CFR 73 as amended through September 28, 1998

**Return to Form RE-00 REQUIREMENTS REVIEW question 5c.**